

REMARKS

Claims 10-29 are pending in the application after this amendment. The amendment, cancellation, and/or addition of claims is not to be considered in any way an indication of applicants' position on the merits of the amended, cancelled, and/or added claims. In the following sections of the Amendment the objections and rejections set forth by the Examiner in the June 30, 2004, Office action are addressed. These rejections are respectfully traversed, and detailed arguments are set forth below.

The Examiner objected to the original wording of the Abstract. Applicants have amended the Abstract as suggested by the Examiner with the exception that the term "mat body" has been used instead of the Examiner's suggested term "body." Applicants respectfully submit that the Abstract should now be correct.

Regarding the Examiner's rejections under 35 USC §112, applicants have cancelled claims 1-9 such that the rejections thereto are now moot and amended claims 13 and 18. Applicants' amendments to claims 13 and 18 should overcome the Examiner's rejections under 35 USC §112.

Applicants have reviewed the Examiner's comments carefully and believe that the Examiner does not understand the present invention. As claimed in claim 10, the present invention is directed to a road mat including a mat body having a first coupling end and a second coupling end. A first locking mechanism is provided at the first coupling end that includes both a male coupling member and a female coupling member. A second locking mechanism is provided at the second coupling end that includes both a male coupling member and a female coupling member. As claimed in claim 14, a road mat system of the present invention includes at least one prior road mat and at least one successive road mat. The second locking mechanism of the prior road mat is suitable for interlocking with the first locking mechanism of the successive road mat. In the Examiner's 35 USC §112, the Examiner uses the phrase "male and female ends" that is not applicable to the claimed invention. Both ends of the mat body

have both a male coupling member and a female coupling member and, therefore, neither end is inherently male or female.

Applicants have also reviewed U.S. Patent No. 5,924,152 to Maier (the "Maier reference") and U.S. Reissue Patent No. 18,188 to Benedict et al. (the "Benedict reference"). Applicants believe that the Examiner has misunderstood both references. The Maier reference is directed to a device that is meant to be suspended in the air for bridging under bridges or for bridging over streets – not a road mat that would be laid on a ground surface. The Benedict reference is directed to actual paving – not a road mat that would be used in temporary projects. Further, the Benedict reference teaches against the present invention in that it specifically "will effectively prevent any relative vertical movement of the paving bodies adjacent to the joint." As set forth in the specification of the present application, road mats are "designed to be laid directly onto a ground surface prior to being driven over by vehicles and equipment." Applicants believe that these references are nonanalogous to the claimed invention and would, therefore, be inappropriate for combination with other references in an obviousness-type rejection.

Regarding the Maier reference, applicants are a bit confused by the Examiner's explanation of elements, but believes this confusion exists because of the inconsistent numbering present in the Maier reference. For example, the Examiner suggests that reference numerals 6 and 7 are coupling ends, but the Maier specification refers to these elements as hinge profiles. Further, the Examiner points to reference numerals 7.1 and 7.2 as the "male and female interlocking mechanisms." Applicants believe that the Examiner is referring to the upper hinge profiles structure shown in Maier FIG. 6. (7.1 is also used to refer to a hinge profile, but 7.2 is only used in FIG. 6.) Both 7.1 and 7.2 are female – the male component being the transverse pin 15 threaded through both. Applicants would also like to point out that FIG. 6 is not directed to the boards 4 (which are the individual components of the web 1), but rather to the struts 2.1 and 2.1 that support the handrails 3.1 and 3.2.. Similarly, the Examiner refers to FIGS. 3 and 4 as showing a semi-circular shape, but both of these figures show the

transverse struts. Finally, the Examiner states that FIG. 2 shows the "coupling members" positioned in tandem, but applicants respectfully submit that this figure only shows the coupling ends in tandem.

The Benedict reference is directed to paving joint strips 4 of compressible and elastic character which are adapted for use in paving structures to separate the rigid elements. In the embodiment of FIGS. 2 and 4, the rigid elements are corrugated and the paving joint strips are preformed as corrugated to fit between two rigid elements. Applicants believe the Examiner is equating the rigid elements with the road mats (a point that applicants specifically traverse). The rigid elements, however, do not have coupling members because the paving joint strip is the interlocking mechanism.

For the purpose of furthering prosecution, Applicants have amended claims 10 and 14, but reserve the rights to present additional arguments distinguishing the known references and to file continuation applications presenting the subject matter of the original claims.

In view of amendments to the claims 10 and 14, applicants believe that Maier reference and the Benedict reference are clearly distinguishable (neither references having any structure equivalent to the "male coupling member positioned substantially between [the] mat body and [the] female coupling member"). As these references do not teach or suggest at least one claim element of independent claims 10 and 14, these claims should be allowable.

Claims 19-24 are apparatus claims dependent directly or indirectly from independent claims 10 or 14. Therefore, these claims are patentable for the same reasons as were discussed for the claims from which they depend, and further in light of the further limitations contained in the dependent claims. For example, neither the Maier reference nor the Benedict reference teach or suggest the male coupling members are positioned in tandem with the female coupling members at each coupling end in relation to each coupling end as set forth in claim 11.

New independent claim 25 has been added and incorporates subject matter from original claim 10. This claim also includes the limitations that the male and

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female coupling members are substantially parallel their respective coupling ends. This is clearly shown in FIGS. 1 and 2. No new matter has been added. Claims 26-29 are apparatus claims dependent directly or indirectly from independent claim 25. Therefore, these claims are patentable for the same reasons as were discussed for claim 25, and further in light of the further limitations contained in the dependent claims.

In view of the above, it is submitted that the currently pending claims are patentable. Accordingly, the Examiner is requested to reexamine the application, to allow the claims, and to pass the application on promptly to issue.

Please charge Deposit Account No. 50-2115 for any additional fees that may be required.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Karen Oster", is written over a horizontal line.

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